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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/036,721 03/06/98 DELP

D 940-015

EXAMINER

WM01/0424

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NEW YORK NY 10017

CONTEE, J

ART UNIT

PAPER NUMBER

2681

DATE MAILED:

04/24/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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# Office Action Summary

Application No.  
09/036,721

Applicant(s)  
Delp et al.

Examiner  
Joy K. Contee

Group Art Unit  
2681



☒ Responsive to communication(s) filed on Jan 2, 2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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**DETAILED ACTION**

1. Examiner has not accorded any patentable weight to the portion of the claim that recites “integrated building control” in the preamble of claim 1 because the organizational elements recited in the body of the claim do not refer back to the preamble for their description.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claim 1 rejected under 35 U.S.C. 102(e) as being anticipated by Salazar et al. (“Salazar”), U.S. Patent No. 5,802,467.

Regarding claim 1, Salazar discloses an information system with wireless networking comprising:

- (a) a communication media means (col. 3, lines 4-9);
- (b) a central processing unit (abstract and col. 3, lines 15-31);
- (c) a controller device (col.2, lines 66-67 and col. 3, lines 1-2 and 15-31);
- (d) a utility monitoring device (col. 5, lines 24-27);

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- (e) a port combiner (col. 22, lines 35-51);
- (f) a first data converter (col. 4, lines 18-20);
- (g) at least one first wired module (col 5, lines 15-20) ;
- (h) at least one second wired module (col. 5, lines 39-43) ;
- (I) at least one wired utility node (col. 5, lines 24-27);
- (j) a radio frequency master device (col. 5, lines 31-38);
- (k) a radio frequency satellite device (col. 23, lines 1-5);
- (l) a second data converter (see Figure 2, element 36);
- (m) at least one first satellite module (col. 5, lines 39-45);
- (n) at least one second satellite module (col.5, lines 39-45);
- (o) at least one satellite utility node (col 5, lines 46-51);

wherein at least one of said first wired module, said second wired module, said wired utility node, said at least one first satellite module, said second satellite module and said satellite utility node, said at least one first satellite module , said second satellite module and said satellite utility node receives and transmits data to said central processing unit via said radio frequency satellite device and said radio frequency master device using said satellite data converter and said data converter (see abstract).

Thus the limitations are read in reference.

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*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mandl, U.S. Patent No. 4,308,911, discloses a residential monitoring and control system

Bai, U.S. Patent No. 4,686,885, discloses an apparatus and method of safe and arming munitions.

Pyle, U.S. Patent No. 4,446,454, discloses a home security system.

Caltagirone et al., U.S. Patent No. 4,217,646, discloses a automatic control system for a building.

Burns, U.S. Patent No. 4,567,557, discloses a building intelligence system.

Feinberg, U.S. Patent No. 5,598,456, discloses an integrated telephone intercom, security and control system for a multi-unit building.

Yabe et al., U.S. Patent No. 5,132,681, discloses an intelligent switch system.

Satyanarayana et al., U.S. Patent No. 5,909,429, discloses a method for installing a wireless network which transmits node addresses directly from a wireless installation device to the nodes without using the wireless network.

Krisbergh et al., U.S. Patent No. 5,138,649, discloses a portable telephone handset with remote control.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is (703) 308-0149.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703)305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-4700.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**


(703) 305-9508, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

Joy K. Contee

April 20, 2001

  
DWAYNE BOST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600  
4-23-01